



Docket No.: VAL6131P0208AUS  
5910.US.C4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Mutants Which Produce a Potentiator  
H. Outrup et al. ) of *Bacillus* Pesticidal Activity  
Serial Number: 09/858,207 ) ) Group Art Unit: 1651  
Filed: May 15, 2001 ) ) ) Examiner: Irene Marx

RECEIVED  
JAN 02 2003  
5/8  
H.G.J.  
1/24/03  
TECH CENTER 1600/2900

**AMENDMENT**

BOX NON-FEE  
Commissioner for Patents  
Washington, D.C., 20231

Dear Sir:

In response to the Office Action dated August 27, 2002, please amend the application as follows.

**IN THE CLAIMS**

Please amend claim 18 to read as follows:

*3 Bl 1/2*  
18. (once amended) A biologically pure culture of a mutant of a *Bacillus thuringiensis* subsp. *kurstaki* strain EMCC 0086 which produces a factor which potentiates the pesticidal activity of a *Bacillus* related pesticide at least about 1.5 fold,  
*3 Bl 1/2 C1* wherein said *Bacillus* related pesticide is a *Bacillus thuringiensis* delta-endotoxin and said pesticide targets are insects, nematodes, mites or snails,

37 CFR 1.8  
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, as first class mail in an envelope addressed to: Box Non-Fee, Commissioner for Patents, Washington, D.C. 20231 on December 18, 2002.

*Corinne Byk*  
Corinne Byk